

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ORSINO IACOVONE,

Plaintiff,

vs.

Civil Action 2:03-CV-652
Judge Smith
Magistrate Judge King

REGINALD A. WILKINSON,
et al.,

Defendants.

ORDER

On May 4, 2005, the United States Magistrate Judge issued a *Report and Recommendation* recommending that plaintiff's motion for a protective order relating to his deposition, Doc. No. 39, be denied. The United States Magistrate Judge also recommended that defendants' motion to dismiss for lack of prosecution, Doc. No. 37, be denied and that defendants McGraw, Carter and Wade be dismissed, without prejudice, from this action. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. Plaintiff's motion for a protective order relating to his deposition is **DENIED**. Defendants' motion to dismiss for lack of prosecution is **DENIED**. The Court further concludes that defendants McGraw, Carter and Wade are hereby **DISMISSED**, without prejudice, from the action.

s/George C. Smith
George C. Smith, Judge
United States District Court